



Transportation and Public Works Department

P.O. Box 1088 Austin, TX 78767
512-974-1150

Encroachment Agreement Application

LandManagementROW@AustinTexas.gov | Phone: 311 (or 512-974-2000 outside Austin)
For submittal and fee information, see www.austintexas.gov/department/land-management

The following checklist information is required to process an Encroachment Agreement Application.

For Permanent Encroachments of Private Structures into Public Right-of-Way: A right-of-way encroachment grants the permanent right for the use of a public Right-of-Way for a private improvement, such as Sky Bridges, structurally integrated balconies, underground parking garages. See City of [Austin Code Chapter 14-11](#) - Use of Right of Way, Division 4 Permanent Encroachment of Public Right-of-Way. All requests for right-of-way encroachments **require City Council approval**.

Application Packet

Application Packet – Items to be Uploaded	
Encroachment Application	Encroachment Transmittal Letter Questionnaire
Survey/Field Notes (3-D Survey for aerial & subsurface encroachments)	Recorded Conveyance Deed (Current Owner)
Authorization letter	Original Plat showing the right-of-way (alley or road) being dedicated/created
Location Map	Color satellite photo of the area
Application fee (nonrefundable), payable on AB+C Portal.	Property Tax or Parcel ID tax record print out
Engineered Stamped and Sealed Site Plan/construction drawings & detailed plans.	If the landowner is a commercial entity and tenants occupy the premises, we require a list of all tenants with names and addresses for public notification.



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Section 1: TYPE OF ENCROACHMENT

Encroachment Type: **Aerial** **Sub-Surface** **Surface**

Type of Encroachment to be placed on Public right of way: _____

Have encroachment/improvements been installed prior to application: **Yes** **No**

Adjoins property at the following street address: _____

Section 2: PROPERTY DESCRIPTION OF ENCROACHMENT AREA

Appraisal District Parcel #: _____ Survey & Abstract No. _____

Lot(s) _____ Block _____ Outlot _____

Subdivision Name: _____

Recorded in: Document No: _____ or Volume _____, Page _____

County instrument recorded in: _____ Type: **Deed** **Real Property** **Official Public** **Plat**

NOTE: Attach three (3) dimensional metes and bounds survey of Encroachment Area.

Section 3: RELATED CASES & PROJECT NAME (if applicable)

Existing Site Plan: **Yes** **No** File Number: _____

Subdivision Case: **Yes** **No** File Number: _____

Building Permit: **Yes** **No** File Number: _____

Is this a S.M.A.R.T. Housing Project? **Yes** **No** (If Yes, attach signed certification letter from NHCD)

Section 4: HISTORIC DESIGNATION

Historical Designation: **Yes** **No**

Historical Zoning: **Yes** **No**

Property in Historical Zoning District: **Yes** **No**

Section 5: APPLICANT INFORMATION

Applicant Name: _____
Firm: _____
Mailing Address: _____
City: _____ State: _____ Zip: _____
Email: _____ Phone: _____

Section 6: OWNER, LIENHOLDER & VESTING DEED INFORMATION

(If multiple owners please attach separate sheet.)

Conveyed to (Current Owner) Name: _____ (as shown on Deed)
Owner Mailing Address: _____
City: _____ State: _____ Zip: _____
Email: _____ Phone: _____
Lienholder Name: _____
Lienholder Mailing Address: _____
City: _____ State: _____ Zip: _____
Email: _____ Phone: _____
Conveyed by: **Special Warranty Deed** **Warranty Deed** **Deed with Vendor’s Lien** **Quitclaim Deed**
Deed without Warranty Dated: _____ County instrument is recorded in: _____
Document No: _____ or Volume _____ Page _____
Deed Records **Real Property Records** **Official Public Records**

Section 7: DEVELOPER INFORMATION

Developer Name: _____
Firm: _____
Mailing Address: _____
City: _____ State: _____ Zip: _____
Email: _____ Phone: _____

I the undersigned Applicant/Landowner declare that the information provided in this application is true and correct. I have read and understand that the processing of this Application will be handled in accordance with the Procedure for Requesting an Encroachment Agreement and that no action on processing will be taken without payment of the non-refundable processing fee. I understand that acceptance of this application and fee in no way obligates the City to enter into an Encroachment Agreement. I understand that the value of the Right-of-Way, if allowed to be encroached, will be determined by the City of Austin, payment of market value will be required before scheduling an agenda item for

Council review and Certificate of Insurance must be presented before an agreement, if approved, is executed. It is further understood that the City is not responsible for any cost or inconvenience incurred by the Applicant when the application is not approved.

Landowner's Signature: _____ Applicant's Signature: _____

If you have questions; please email Land Management Department:

LandManagementROW@AustinTexas.gov

<p><u>Submit application, upload documents & payments:</u></p> <p>(AB+C) Austin Build + Connect - Portal</p> <p>https://abc.austintexas.gov/index</p>	<p><u>Mailing Address:</u></p> <p>City of Austin – PDC TPW – Land Mgmt. P.O. Box 1088 Austin, TX 78767-1088</p>
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